

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Ann Lewis to President Clinton, re: Women in Afghanistan (1 page)	7/23/1999	P5 270
002. statement	Woman from Afghanistan [partial] (2 pages)	6/22/1999	P6/b(6)
003. agenda	Meeting with Louise Frechette (2 pages)	n.d.	P5 271
004. agenda	Meetings at State (2 pages)	7/1999	P5 272
005. list	Use of Customs House [partial] (1 page)	2/24/1999	P6/b(6)
006. notes	UN Strategy (4 pages)	n.d.	P5 273

COLLECTION:

Clinton Presidential Records
Chief of Staff
Ann Lewis
OA/Box Number: 16429

FOLDER TITLE:

Bijing Plus Five

Whitney Ross
2006-0198-F
wr774

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

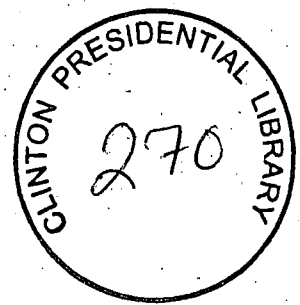
RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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MEMORANDUM TO THE PRESIDENT

FROM: ANN LEWIS *ALS*
DA: JULY 23, 1999
RE: WOMEN IN AFGHANISTAN



You received a letter from Linda Bloodworth Thomason which included recommendations by the Fund for a Feminist Majority concerning the Taliban. I thought you might want an update on the issues she raises.

Refugees: The biggest obstacle for Afghan refugees continues to be the lack of an INS presence in the region. This means that all requests must go through UNHCR, and we have many reports that they have been unresponsive. Linda cites some of these examples in her memo.

After my last meeting with FFM, I asked Chuck Ruff to follow up with DOJ. He told me that based on his conversations, he believes the INS is planning to open a facility in Pakistan soon. I also raised the general issue with the Attorney General, who told me she is seriously considering it and has asked for an internal memo.

I can ask Chuck Ruff to get back to DOJ or ask him to prepare a memo for you directly.

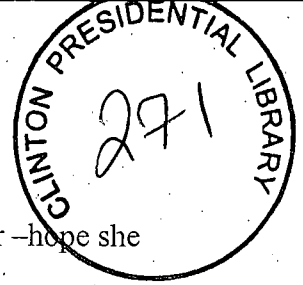
Change of Refugee Status to P2: P2 status would allow Afghan refugees to bypass UNHCR and enter the U.S. without having to prove persecution case by case. This would ease the issue of processing but it would require defining eligibility: only Afghan women and girls? What about members of their family?

At our last meeting, which included lawyers working on behalf of Afghan women, I raised this question and asked that they draft a definition of eligibility.

Individual Cases: I've passed the information about these cases to Chuck Ruff to raise with DOJ. Since then, I have heard from Ellie Smeal that they had a "breakthrough" with the case involving a journalist; that UNHCR has moved it to INS.

I also discussed with the group the value of having members of Congress raise individual cases. They met with Senator Harry Reid and Congressman Sam Gejdenson, who had expressed interest in being helpful, and expect them to pull together a larger congressional meeting.

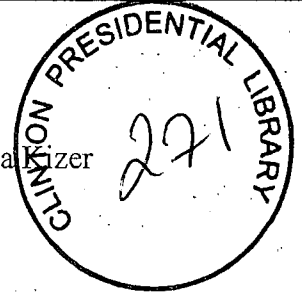
Scholarships: We continue to work with FFM to follow up on this idea. Establishment of an INS office in Pakistan will also be very helpful in enabling us to reach potential students.



Agenda – Meeting with Louise Frechette

1. Thanks and acknowledgement for her role – leadership in pulling people together – hope she will continue.
2. Our goals for Special Session:
 - move forward PfA
 - visibility, appreciation UN in action
3. To achieve, UN must take seriously:
 - Role of Kofi Annan
 - Use Dag Hammarskjold Plaza for event
 - Other locations, high level events
 - Resources
 - Staff, personnel
4. For example, will DAW have support to get through negotiating process after document drafted –
Will other agencies with expertise be involved?
5. Documents
 - Her view how documents are coming along?
 - Review and Appraisal? Outcomes and Trends?
 - Be clear: if we had our preference, would not be another negotiated document
 - But at least: Don't reopen PfA
 - Start with draft that is strong and short and maintain positive approach through negotiations
 - Go for language that takes us forward; for example use of benchmarks, already agreed on by other agencies so don't try to create de novo
6. NGO Access, accreditation, participation
 - Note: Copenhagen uses different – progressive - standard for accreditation, enables new NGOs to apply – but regressive on participation – only 5 NGOs, need gov't approval
7. Resources for teleconference; enable women all over world to participate
 - We have talked to Nadine Hack, know will take UN resources to work
8. Other UN events just before and after
 - Millennium NGO forum 2 weeks before
 - (Copenhagen + 5 after in Geneva)
 - How do they see these working together – not compete

Meeting with June Zeitlin, Theresa Loar, Melanne Verveer, Lidia Soto-Harmon, Linda Kizer
1/5/00



Concerns for Louise Frechette Meeting:

I. DAW is weak – needs staff to be assigned or borrowed

Not bringing in other UN agencies with expertise -eg UNIFEM; no plan to circulate drafts within other agencies

Reflected in lack of strategy for outcome; failure to focus on issues or goals

II. Of documents to be produced by W2000:

1. Political declaration is “almost there” – should be finished at intersessional end of January

2. Review and appraisal: produced by DAW, non-negotiated – based on questionnaires submitted by nation-states; work underway (but for example, had not translated Arabic documents as of very recently)

3. Outcomes – negotiated document which means draft needs to be ready by CSW early March but not begun so far as we know

Preferred contents:

3-4 emerging issues/challenges

(already included in PFA but last 5 years have brought new urgency to need to face, eg AIDS)

+ concrete benchmarks /goals for areas which UNIFEM has identified ,where statistical markers are possible : both past progress and agreed on goals –

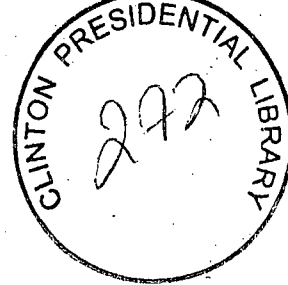
--would provide yardsticks for governments and NGOs to measure progress

III. NGO Access/accreditation:

Would it be possible to have same rules for each conference, so Beijing + 5 would be same as Social Summit, with 3 categories: went to Beijing; accredited to ECOSOC, and new requests

Ann raised concern whether document # 3 doable in present circumstance: has to be written and circulated by same staff struggling with # 2 and be ready by end of February?? Could only be done and still not easy – if DAW contracts with writer, narrowly focuses on potential or emerging issues, and incorporate UNIFEM work on benchmarks:

July 12-13 mtgs. at State
(Includes Human rights NGOs and general NGOs)



Goal of Human Rights NGO meeting: . Keep focus on human rights

Questions:

1. Number on delegation (s) including public members

To Regional meetings ?

(in '95 had 3 "permanent public members")

Prepcomm in March ?

UNGA

Ann raised with Michael Southwick at IO. No specific limit (Number 10 = threshold exec branch employees for reporting back , but in practice they report each time)

Note: At human rights NGO meeting , Sameena Nazer requested that US govt. "sponsor" NGO delegation that is diverse racially, ethnically, and on issues and that AID sponsors NGOs from other countries

(If not all countries, esp. problem countries such as South Asia, Mideast. Teresa said will discuss with colleagues for key countries, based on Cairo +5 experience))

Caution in discussing funding: Not widespread govt. funding -restrictions by Congress

But consider targeting certain countries where participation really important (e.g. Pakistan)

And try to encourage non-government funding

**Problems with visas ? asks that we be aware of potential problems with visas (Teresa: especially with financial documents required women from Asian countries, difficult to meet standards) We will work with consulates to prepare for requests for visas.

2. NGO Access to UN sessions

Problems at NCPD with access to General Assembly session

5 slots on plenary program -then taken back ; 50 tickets to highest gallery only

(but: Sarah -not problem in working session)

Aware possible problems at regional meetings -US will work to increase access

Kathy Hendrix :Check to see what other countries/groups (e.g. Canada) are doing to bring in NGOs

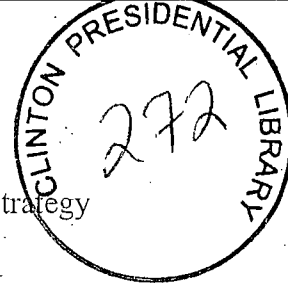
3. Lessons learned from Cairo +5 process?

Peggy Curlin, CEDPA: "Keep your eye on main prize -marking progress "

(Don't get sucked into using energy on document)

Teresa: ask all of your help how we use opportunity to reaffirm

(Did get change in Cairo language -turned out opposition = small minority but well organized and vocal)



4. US Goal = A Political (Visionary) Declaration

Affirming platform, commitment to build on, and extending platform and Nairobi strategy
Include Commitments and Lessons learned

Is this US goal ? What happened as result of "formal informals" at UN ?

Teresa -not aware of meetings -but yes to goal of declaration as "chapeau" on five year review; will try to get date any future "formal informals"

5. Perhaps ask agencies to hold open meetings as part of 5-year review ??

General NGO Questions

4. Maria Reilly, Center of Concern

Question how to have input ; possibility of issue specific discussions with NGOs with specific areas of expertise ?

Teresa suggested could have separate group meetings as doing with Human Rights groups

5. June Zeitlin (see separate Zeitlin notes)

NGOs meeting in NY recommended: focus on action/outcomes

reduce platform to fewer concrete areas ?

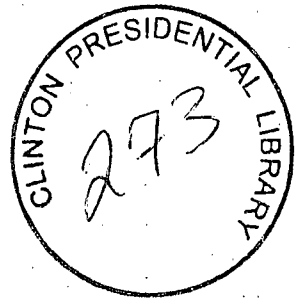
Use year to produce outcomes/results

Bring International home: CEDAW, etc.

6. CONGO June 3-4--plans 2day session—not NGO forum (Status on Women Commission voted not to hold NGO forum)

but will hold 2-day session to "prepare for UNGA"

(CONGO = NGOs recognized by ECOSOC)



UN strategy

resp
last
meeting
UN
deadline

Sharon Tokok

int/servant

knows UN well

but have to ^{be} deal

**

Betty King "greatly" - Pub to
Eccles
Eccles

Nancy Nebin

Peter Berle
Nancy Berberberg

idealizing Betty has really
smart person

US = champion NPOs

Q.77 = trying to unravel NPO participation

Need person working on document / thinker

Kathleen Hendrix?

as bumper contract - AID -

effective w/ UN system -

Preplanned -

stays of Q.77 /

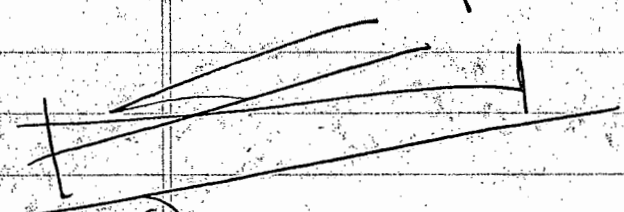
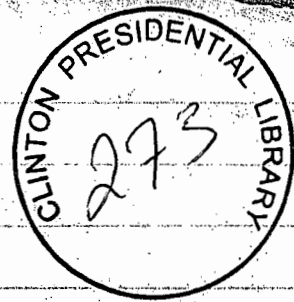
so some people

Indy Love

Demande → go vls/

costs

go also before req



①

Domest/Outcome Strategy

Sharon
Betty -
Katie
Heidi

②

UN Strat

③

US Confronts

Interagency Council -

④

Public Outreach

idea / unchanged
⑤ requests

⑤

regular
⑥ open Wgo

brief up

cardologists
down w/ substance

⑦

Website

[need B]

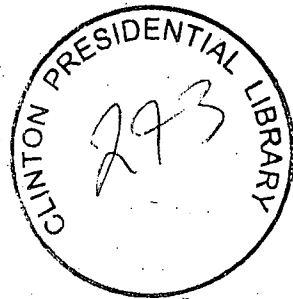
Publication

electronic snapshot

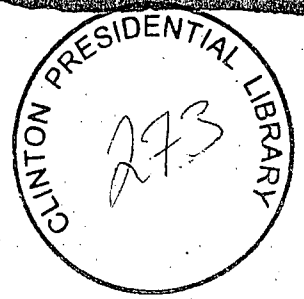
⑧

1211 - Moloney & Kelly -

co chair host com. Hie?



1. USQ Conced - still getting organized?



⑦ NQO Conference -

⑧ US ^{*}lower/reception ^{*}for
head of state

needs
Sharon
Holt &
Betty King

⑨ Parallel Events
NQOS

Jeff
Meer
US for UN
Beijing
real resource
of Armed
Conflict??

⑩ Satellite Conference / needs coord
Jane ←
Nadine Haack?

*
Joan
Wishup -
Stanley
Foundation??

⑪ Nancy Rubin -

Li da Tai - Whelan

represent US
specific mls
UN Bodies -

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. schedule	Hillary Clinton [partial] (1 page)	7/29/1996	P6/b(6)
002. memo	Greg Simon to President Clinton, re: White House Conference on Children's Television (3 pages)	7/29/1996	P5 41237

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer (Early Childhood Development Issue Binders)
OA/Box Number: 19012

FOLDER TITLE:

Early Childhood Development #1: Early Childhood Development [3]

Whitney Ross
2006-0198-F
wr730

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

July 29, 1996



MEMORANDUM FOR THE PRESIDENT
THE VICE PRESIDENT
THE FIRST LADY
MRS. GORE

FROM:

GREG SIMON *[Signature]*

SUBJECT:

WHITE HOUSE CONFERENCE ON CHILDREN'S TELEVISION

SUMMARY

You are meeting with key figures in children's television to promote more and better educational programming. We hope to announce that a compromise has been reached on a rule requiring three hours of educational programming per station per week. If there is no compromise, we will strongly urge action by the FCC. The conference will focus on the importance of television as a positive force in children's lives and education, the different keys to success of today's best shows, and the barriers that must be overcome to produce more and better programming.

BACKGROUND

The February Meeting

In the State of the Union, the President challenged Congress to pass the Telecommunications Act of 1996 that included the V-chip technology to empower parents to block objectionable programming from their homes. On February 29th, the President invited leaders of the entertainment industry to the White House to discuss how to provide families more and better information regarding television programming immediately and to discuss how to improve the quality and quantity of children's programming.

As a result of the meeting, the television industry initiated an effort, led by Jack Valenti, to develop a ratings system that would be compatible with the V-chip. Today's meeting addresses the second issue from the February summit -- providing more educational programming for children.

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Children's Programming

The Children's Television Act of 1990 requires that broadcasters provide educational programs for children. For the first time it singled out children as a special audience that broadcasters must serve with special programming. (The Act also set a limit on the amount of commercial time during children's programming -- limiting it to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays.) In the years following passage of the Act, some broadcasters merely relabeled their existing cartoons as educational or claimed that shows like "The Jetsons" met the requirement.

For some time the FCC has been considering a rule to require broadcast stations to air three hours of children's educational programming per week pursuant to the Children's TV Act. In September 1995, the President sent a letter to the FCC supporting the rule. Representative Ed Markey has submitted to the FCC a letter signed by 260 House members supporting the three-hour rule.

The Commission has been deadlocked 2-2. A recent announcement by Commissioner Quello that he would support a three-hour rule fell through when he objected to the final proposal as too regulatory and relying on an objectionable legal analysis. The compromise now under consideration relies upon a "processing guideline" that avoids the prescriptive detail of a rule but provides clear incentives to do the three hours of regularly scheduled programming.

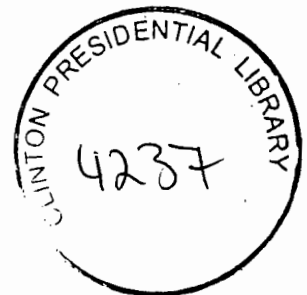
The processing guideline would allow broadcasters who air three hours of regularly scheduled thirty-minute programming to have the Children's Television Act portion of their license renewal application glide through at the staff level. Those who do less and rely instead on PSA's and specials could make the case to the staff that their programming package is equivalent to a three-hour package. Those who do less or who are deemed to have an insufficient package would have to go to the entire Commission for license approval at considerable cost of time and money.

CBS and FOX currently have agreed voluntarily to show three hours per week of children's TV. ABC and NBC have not. The National Association of Broadcasters (NAB) has vigorously opposed the rule. Children's advocates, Congressman Markey, Chairman Hundt and the Administration have strongly supported a rule, not a voluntary agreement, in light of the industry's creativity in avoiding airing more, truly educational fare.

Safe Harbor/Family Viewing

Senator Hollings has introduced a bill to require that no violent programming be shown at times when children are watching. This is modeled on the ban on indecent programming between 6:30 a.m. and 10 p.m. Senator Lieberman supports a voluntary code of conduct to require a family viewing hour between 8 and 9 p.m.

Previous attempts to require set family times were found to have constitutional problems. While supporting the idea of family viewing times, we have never endorsed these legislative efforts; we have focused instead on providing parents the information they need to control their children's viewing. If asked, we need to reaffirm that we don't think government should do this and that industry must take the lead.



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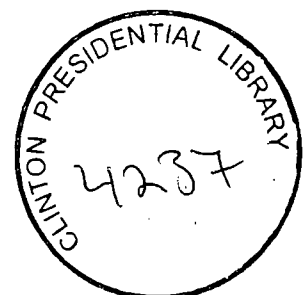
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Spectrum Auctions

There has been a considerable effort in the press to link the issue of TV ratings to the issue of digital spectrum auctions. Because we oppose such a linkage, we should oppose discussing the issue of spectrum auctions in the meeting. Our position has been to auction the returned analog spectrum after the conversion to digital television. **Whether the digital spectrum is auctioned or awarded to existing licensees, we have always supported requiring a higher standard of public service to accompany the licenses.**

Media Concentration

During the telecommunications debate, we opposed efforts to remove limits on media concentration. While we reluctantly accepted allowing one owner to own TV stations reaching 35% of the national market (up from 25%), we opposed allowing one owner to own two TV stations in the same market, to own an unlimited number of radio stations in one market, to own a TV station and a newspaper in the same market and to own a TV station and a cable company in the same market. We prevailed on those issues.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	WH Early Childhood Development Conference - Calls (3 pages)	4/17/1997	P6/b(6)
002a. letter	Roberta Culver to Maggie Williams (2 pages)	3/11/1997	P6/b(6)
002b. letter	Roberta Culver to Maggie Williams (3 pages)	3/11/1997	P6/b(6)
003. c.v.	Owen Rennert [partial] (1 page)	1/9/1997	P6/b(6)
004. resume	Constance Urciolo Battle [partial] (1 page)	1/9/1997	P6/b(6)
005. memo	Frank Raines to President Clinton (10 pages)	12/27/1996	P5 41238
006. schedule	Hillary Clinton [partial] (2 pages)	1/10/1996	P6/b(6), b(7)(E)
007. list	Guests for Maurice Sendak Visit [partial] (1 page)	1/9/1997	P6/b(6)
008. list	SSN [partial] (1 page)	1/9/1997	P6/b(6)
009. fax	Clare Fiorie to Katy Button [partial] (1 page)	1/9/1997	P6/b(6)
010. list	Phone No. [partial] (1 page)	n.d.	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Ruby Shamir (Misc. Subject Files)
OA/Box Number: 23246

FOLDER TITLE:

Early Childhood Development Conference

Whitney Ross
2006-0198-F
wr727

RESTRICTION CODES

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THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE PRESIDENT HAS SEEN
1-6-97

December 27, 1996

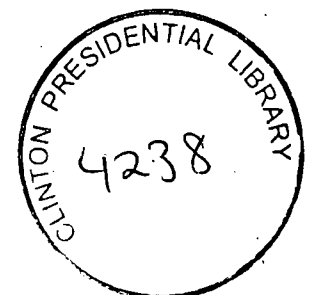
Mr. President:

I have cleared with Leon sending you the attached memorandum concerning the District of Columbia on an expedited basis. The options have been vetted by Leon, Gene, and the Principals of the D.C. Task Force. The wording of the memorandum is my responsibility. We still have time to include these proposals in the budget if you so choose.

I am looking into the tax issue as you requested.

Frank Raines

WS: HRC
UP
Raines
Guns
Powers



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exercised its constitutional right to legislate for the District to keep a close rein on the affairs of the city, either directly through appropriating locally raised funds or indirectly by serving as an appellate body for anyone dissatisfied with decisions by local officials.

The District is again in financial extremis. A financial control board has been established to guide the city back to solvency and to reform the administration of government functions. While there has been extensive debate on the reasons for the financial crisis and its solution there has been little discussion of a radical restructuring of the status of the District. You were perfectly correct to point out the in between nature of the District as not quite a city, a county or a state. We are monitoring local efforts to create a charter review process that will address a broader range of restructuring solutions.

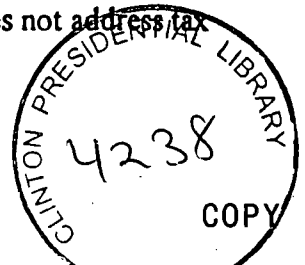
Members of the Cabinet and other agency officials, the staff of the task force, and I have spent considerable time meeting with District officials, organizations involved with District affairs, and community leaders discussing the future of the District. We have found uniform concern about the future of the city.

We have paid close attention to recommendations that have been made by the Mayor, the City Council, the Financial Authority, and some members of Congress to rearrange some of the responsibilities of the District government. These recommendations have focused on relieving the District of the financial responsibility for certain government functions and perhaps the administrative responsibility as well. Advocates have argued that the District cannot manage certain responsibilities that have been given to the District by the federal government. They also argue that state government-type activities are too burdensome for a city to carry on its own. Functions frequently mentioned are the pension programs for police, fire fighters, teachers and judges; the mental health system (both transferred to the District government after the Home Rule government took control); prisons; Medicaid; the university, and social welfare programs that are typically run by states.

We have sought a rationale for how the federal government might respond to the request to relieve the District of certain burdensome functions. Some would have us equate the federal government to taking the role of the state government for the capital city. There is merit to this approach, but it might strip too much authority from the Home Rule government and increase federal responsibility to deliver services to local residents. Others have focused on divining the federal interest in the federal district and allocating responsibility accordingly. Under this view the Federal government might consider taking on certain law enforcement functions, but would not federalize the District Medicaid program.

We have heard other messages as well. Some in the community would have us simply increase the federal payment to support all current District government activities, and some in Congress would prefer to see the District pare its activities to equal its revenue. Delegate Norton and the Speaker favor a radical restructuring of the federal tax system in the District to provide powerful incentives for economic activity in the city to increase the attraction of the city for tax-paying residents which would eventually increase District government revenue. (Each of the non-contiguous federal territories has a special status under the federal tax code.) This memorandum does not address tax

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changes but we may be drawn into a tax discussion as the Financial Authority, Brookings, and Congress finalize work now underway. *we will be*

The task force has chosen to recommend to you a series of actions to rearrange the responsibilities of the federal government and the District government. The recommended approach is a hybrid of the state functions and Federal interests models. We make this recommendation with caveats. We believe that strict conditions must be met before the Federal government takes on any current District functions to ensure that the takeover will be successful. We believe that city officials must confront the important home rule issues implicit in ceding parts of their current responsibilities. We also believe that adequate funding must be provided to enable federal agencies to carry out new responsibilities in a manner consistent with federal operations. We also believe that taking on District functions will require a major trade-off with the existing annual federal payment to the District.

In the past week I have met with the Mayor, the chairman of the Control Board, a majority of the City Council and Delegate Norton to test their willingness to agree to the tough conditions we might insist upon if we endorsed their recommendations regarding District functions. The Mayor, the Board Chairman, the Delegate and a majority of the Council agreed that they could endorse a takeover of District functions with tough conditions as long as the financial result was positive for the City. They agreed that they would express that support publicly should you choose to move in that direction.

In addition to the transfer of government functions we also make recommendations regarding economic development incentives and how federal programs can be better targeted to meet the needs of the District. A number of members of the Cabinet have expressed an interest in taking a leadership role in providing technical and other assistance to the District to help local officials do a better job with available federal funds.

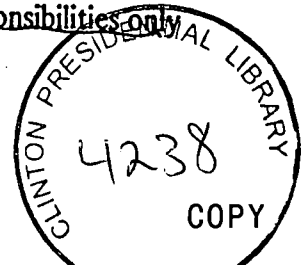
The following recommendations will not resolve the governance, financial or management problems of the District. They amount to a renegotiation of the terms of limited home rule granted to the District almost a quarter of a century ago. If enacted, these proposals will give the Home Rule government a better chance to succeed. But the two century old conundrum of how the federal district should be governed will remain with us

Recommendations

Part I of this Section recommends that the Federal government directly assume certain governmental functions, such as pensions and criminal justice, in areas where it has a clear interest, capability and/or responsibility. In exchange, the existing Federal payment of \$712 million (a general purpose payment of \$660 million plus \$52 million for pensions) would end, and the Federal government would give up its right to approve the District's annual budget.

For this proposed restructuring to be successful, the District will have to take some actions that may be very difficult politically, such as, legislating higher sentences for criminals convicted in the District. For this reason, our proposal would have the Federal government assume new responsibilities only

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after the District had met its obligations under a Memorandum of Understanding (MOU) that we propose be reached between the Administration, the Financial Authority, the Mayor, and the Council. Preliminary discussions with all of these parties, as well as Delegate Norton, indicate serious interest in this approach, together with a recognition that pursuing this path will require that further difficult decisions be made.

Part II of this section recommends the creation of an economic development corporation to provide the District with grant and tax-based economic development incentives.

Part III recommends the Executive Branch agencies provide more intense technical assistance in areas like education, procurement, housing, transportation, and Medicaid that can make a real difference in the District's success as a city. The agencies already have been engaged in this process quietly over the past two years. Their activities would be given a higher profile, perhaps with the involvement of the First Lady or the Vice President.

As shown on Table 1, the approach outlined here would cost the Federal Government about \$866 million in FY98, about \$154 million more than current payments to the District. Over five years, Federal costs would be \$5.7 billion, about \$2.1 billion more than the baseline. Budget savings to the District Government would be \$818 million in FY98, or \$106 million more than the current Federal payment (savings to the District exclude funding for the economic development initiative, the National Capital Infrastructure Fund, and one-time capital-improvement and construction costs at Lorton); five-year budget savings to the District would be \$4.483 billion (\$923 million more than with current payments).

The restructuring plan proposed in this memo would relieve the District of significant budget costs and administrative responsibilities, and end Congressional micromanagement of the District's budget. Such actions are necessary, but not sufficient, to make the District a safe, attractive and prosperous city. In the end, the District's success will depend on its own actions to improve the management of its resources, business climate, and quality of residential life.

I. Federal Assumption of Certain Governmental Functions

Current law requires the District to balance its \$5 billion annual budget by FY 1999. In September, Congress approved an FY 1997 budget and multi-year financial plan that reflected a consensus among the Authority, the Mayor, and the District Council. The plan provides a good start at improving the District's fiscal condition, but lacks some of the hard choices that will be needed to achieve sustainable budget balance and improve the District's long-term fiscal outlook. The District now projects its FY 1997 deficit at \$85 million. Absent further measures, this deficit will likely grow in the out-years.

The District currently must discharge its responsibilities with scarce budget and management resources and in the presence of an unusual degree of Congressional intervention. To remedy this, we

recommend that the Federal government directly assume certain governmental functions, such as pensions and criminal justice, in areas where it has a clear interest, capability and/or responsibility. In exchange, the existing Federal payment would end, and the Federal government would no longer approve the District's annual budget. Elements of this proposal could include:

Option 1: Have the Federal government take over the District's pension plans for law enforcement officers and firefighters, teachers and judges. Prior to 1979, the Federal Government was responsible for these three pension plans and financed them on a pay-as-you-go basis. In 1979, the District of Columbia Retirement Act (Act) transferred to the District responsibility for both the plans and their associated \$2.7 billion in accrued unfunded liability. The Act authorized the Federal Government to pay the District's retirement system \$52 million annually for 25 years. In 1979, the estimated present value of this payment stream was \$646 million, well below the \$2.7 billion unfunded liability.

Since 1979, the District government and participants have made contributions to the retirement system that have more than covered the costs of benefits that accrued in each year, but that have not been enough to prevent the unfunded liability from growing to its current level of about \$5.4 billion. When the Federal payments authorized by the Act end in 2004, the District will be required to cover the full cost of the remaining unfunded liability.

Under this option, the Federal government would assume both financial and administrative responsibility for these pension plans. These plans have an accrued liability of \$8.8 billion; the District government would transfer to the Federal Government or its designee \$3.4 billion in associated pension assets, leaving the Federal Government to assume the \$5.4 billion unfunded liability. The existing assets will be used first to make benefit payments. Actual Federal outlays would not be required for many years. This would be done by having the District transfer the existing assets and responsibility for plan administration to a third party trustee. Fees of the trustee would come from the earnings on the assets.

What
about
Murray
and
his
system?

While the details of this option still must be worked out, we expect that the MOU would require that (1) the existing pension plans would close upon assumption by the Federal Government and that the District would establish new plans for its current and future employees; (2) a third-party Trustee, likely an independent contractor, be appointed to administer the plan and invest the pensions assets; (3) there be a determination of how to treat current employees who are partially vested under the old system; and (4) adequate employment records be provided by the District Government to the third-party trustee.

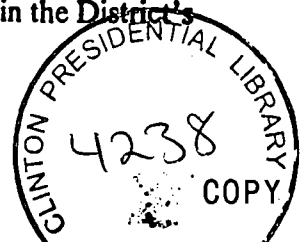
☒ Approve option 1

☐ Disapprove option 1

☐ Discuss

Option 2. Have the Federal government assume responsibility for parts of the District's criminal justice system. There is a long precedent for special Federal involvement in the District's

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criminal justice system, including having the U.S. attorney prosecute all serious crimes in the city. Under this option, the Federal government would provide full funding for the District's Court System, take over the District's Lorton facility, and assume responsibility for setting the standard for sentences for crimes in the District and incarcerating its sentenced felons. Through these actions the Federal Government would help to improve the District's criminal justice system and thereby would enhance the effectiveness of the District as the Nation's capital.

Option 2a. Have the Federal Government fund the District Court System. Given the budget limitations under which it operates, the District Court System works well. The Department of Justice believes that the System would work better, however, if it were given adequate resources. Under this option, the Federal government would assume responsibility for funding the District Court System through the Administrative Office of the Courts (the Judiciary branch).

☒ Approve option 2a

☐ Disapprove option 2a

☐ Discuss

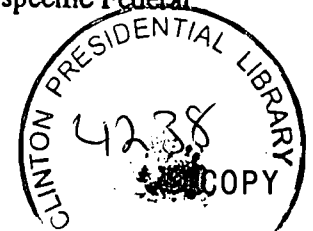
Option 2b: Have the Bureau of Prisons (BOP) assume responsibility for Lorton and for incarcerating the District's sentenced felons. Under this option the Federal government would take on the responsibility for incarcerating the District's sentenced felons (a responsibility that elsewhere is borne by States). DOJ believes that this option could be successful only under the following conditions: that the Federal government would set the standards for sentences for District crimes, that there be a 3-5 year phase-in period and that the DOJ's Bureau of Prisons (BOP) be given sufficient management flexibility. In addition, legislation must address issues of parole and community corrections.

Immediately
on 3-5 yr.

Renovate Lorton and Provide New Facilities to House Inmates Adequately.

Absorbing Lorton prisoners would increase the BOP population by roughly 10 percent. The BOP system is already seriously overcrowded in its high and medium security facilities like Lorton. Accordingly, it could absorb Lorton inmates only after Lorton had been renovated and new capacity had been constructed (partially on Lorton's extensive unused property and partially at other locations). One-time renovations at Lorton and the new prison construction would cost \$300 million in 1998 and \$900 million over 3-5 years.

- **Hiring Flexibility.** Current Lorton staff would have to reapply for positions and meet BOP standards.
- **BOP Flexibility in Absorbing District Inmates.** BOP's general goal is to house inmates as close to home as is operationally possible. However, to maintain order, to meet the security needs of inmates, and to disperse District gangs and "crews," the BOP will need the ability to transfer a significant number of inmates to BOP prisons throughout the nation. No commitments would be made regarding maximum distances from the District or the concentration of District inmates in specific Federal



prisons.

The area already in would be covered by laws at time of confinement right? -

- *Good - could make a National model*
to prospective
Sentencing Conformity. D.C. inmates receive significantly shorter sentences than similarly situated Federal inmates, and are eligible for parole after serving only one-third of their sentences. Federal inmates generally serve 85 percent of their sentences. There are two possible approaches that could be taken to avoid tensions between similarly-situated inmates facing different sentences and parole standards. Under the first, the Federal government would accept responsibility only for those District felons sentenced and paroled in accordance with statutes and legislation applicable to Federal prisons. Alternately, the District could achieve conformity by ceding to the Federal government its sentencing authority over felons.

- **Rely on Federal Community Corrections Operations.** The District's Community Corrections operations, reportedly fraught with mismanagement and employee misconduct, would be phased out. As District felons become the responsibility of BOP, they would be released through Federally controlled community corrections programs.

- **Absorb District Parole Board Functions into the U.S. Parole Commission.** The U.S. Parole Commission would be responsible for all District felons with sentences subject to provisions of parole. This would mean an extension of the U.S. Parole Commission (and its approximately 50 employees) beyond scheduled termination date (2002 unless terminated earlier by the Attorney General).

UH

- **Use phase-in period to keep responsibility for outstanding lawsuits and court orders with the District.** A number of lawsuits are pending against the District's Department of Corrections (DOC) regarding, among other things, conditions of confinement, medical treatment and sexual harassment. There are also court-directed population caps. The District must maintain responsibility for the defense of and liability from these lawsuits. Federal liability should be based only upon actions taken after the Federal government takes responsibility for the inmates.

- **Until all of the above changes are made, Lorton will continue to have major problems, which will become Federal government problems under this plan unless a separation is maintained during the transition period. Accordingly, it is essential to appoint a receiver responsible to the Control Board to oversee the D.C. Department of Corrections during a transition period of capital construction and renovations, changes in sentencing systems, and resolution of lawsuits and court orders.**

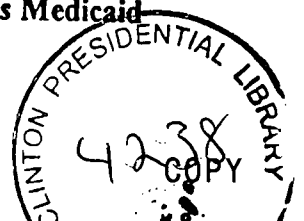
☒ Approve option 2b

☐ Disapprove option 2b

☐ Discuss

Option 3. Decrease to 30 percent the District's share of costs associated with its Medicaid

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program. Total FY98 costs for the District's Medicaid program will be roughly \$880 million. Under current law, the District will pay 50 percent of these costs, the maximum amount that any State must pay. Like many States, the District believes that the Medicaid matching rate does not take into account its high poverty rate and the health needs of its urban population. Unlike States, however, the District cannot spread the cost of an urban Medicaid program across a broader economic region.

Current law allows States to require that localities pay up to 60 percent of the non-Federal share of Medicaid expenditures. Thus, in States with a 50 percent share of Medicaid costs, localities can pay up to 30 percent of total Medicaid expenditures. Currently, 14 States, including California and New York, require local funding of at least some portion of the State's share of Medicaid payments. New York City, for example, pays 25 percent of the cost of Medicaid expenditures in the City; non-city residents subsidize roughly half of the non-Federal share of New York City's Medicaid program (note, however, that New York State does collect a portion of State revenue from the city--part of which may implicitly pay for the State contribution). The District does not have access to such State subsidies.

Under this option, the Federal Government would take on the role of both the Federal and "State" governments for the District, and pay a total of 70 percent of total Medicaid expenditures in the District (compared to the current 50 percent Federal share). Changes in the Federal share would be conditioned on the District improving the management of its Medicaid program. Other options for controlling costs and assisting the District with its Medicaid program could also be explored. This option would cost \$176 million in 1998 and approximately \$1 billion over five years.

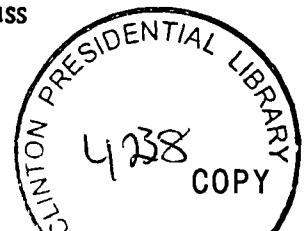
☒ Approve option 3 ☐ Disapprove option 3 ☐ Discuss

Option 4. Ease taxpayer burdens and improve collection by having IRS collect D.C. income taxes. Having the IRS collect District income taxes benefits the District by reducing its costs and by increasing its collections through more efficient administration. It would also reduce burdens on District residents by reducing the number of forms that need to be filed. Having the IRS collect these taxes would require both new statutory authority (at both the Federal and DC level), and added budget resources for the IRS. The IRS has indicated that it is willing to assist in this way.

☒ Approve option 4 ☐ Disapprove option 4 ☐ Discuss

Option 5. Have the Federal Government make available financing for some or all of the District of Columbia accumulated deficit. This financing of \$400 to \$500 million would carry standard Treasury interest rates and would be repaid by the District over no more than ten years from District resources. The Treasury is currently financing the deficit on a short-term basis. Some means must be found to refinance those loans over a longer period of time. Charging the District standard Treasury interest rates will provide the city an incentive to refinance the loans as soon as practicable at lower tax-exempt interest rates.

☒ Approve option 5 ☐ Disapprove option 5 ☐ Discuss



Option 6. Create a National Capital Infrastructure Fund (NCIF). The NCIF would pay for infrastructure projects that benefit not only District residents, but also commuters. Eligible projects would include: 1) road and bridge capital costs (including local roads and bridges and the local match for Federal-aid road and bridge capital projects) and 2) transit capital expenses. The District would determine from the list of eligible expenditures how best to spend the funds.

The NCIF would receive funds from two sources. First, the NCIF would receive an annual appropriation from the federal surface transportation trust funds (in addition to the formula funds now going to the District). In addition, the NCIF would be authorized to accept payments from nontaxpayers (e.g., payments in lieu of taxes from universities, hospitals, nonprofit organizations and other non-taxpaying entities in the city that benefit from District services; or payments from regional entities that might wish to support infrastructure projects that provide benefits to the region).

For the period of FY98-FY02, the District plans to spend approximately \$42 million per year to support local road and bridge capital costs (including the local match for federal-aid road and bridge projects) and \$51 million per year for its share of the Washington Metropolitan Area Transit Authority's (WMATA) capital expenditures. (The District will also spend \$123 million annually for its portion of WMATA's operating expenses, however, the NCIF would not cover these costs). It should be noted that the States and Congressional authorizing committees will likely oppose funding the NCIF from the Highway Trust Fund (HTF) because it would increase the District's share of funds and enable HTF funds to be used for local roads.

☒ Approve option 6 ☐ Disapprove option 6 ☐ Discuss

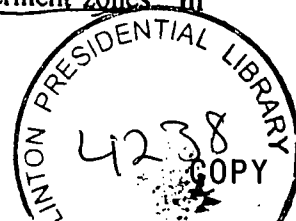
II. An Economic Development Incentive Program

Option 7. Create an economic development program to improve the economic viability of the City. Under this option, the Administration would propose legislation to establish an economic development corporation (EDC) for the District. The EDC initially would be autonomous from both the District and the Federal government, and would operate like a public authority. The Board of the EDC would be appointed jointly by The President and the Mayor.

The EDC would formulate a strategic economic development plan for the District, and would make recommendations for the use of various financial incentives that would be provided by the Federal government. The goals of the EDC would include building local economic markets, developing strategies to link District residents to job creation, and assisting the District in fostering regional economic strategies.

We are currently developing the list of incentives that would be available to the EDC. ~~These will require new legislation and will be similar in nature to those available in empowerment zones.~~ In

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1998, these incentives would cost \$25 million in discretionary funds, and \$60 million in tax benefits. The five year cost would be \$125 million in discretionary funds and \$260 in mandatory tax benefits.

☒ Approve option 7 ☐ Disapprove option 7 ☐ Discuss

III. Technical Assistance by Federal Departments

Option 8. Increase the intensity and raise the profile of technical assistance to the District Government (and non-profit groups, etc.) provided by Federal departments in areas like education, procurement, housing, transportation, and Medicaid that can make a real difference in the District's success as a city. The agencies have been engaged in this process quietly over the past two years. We recommend that this activity be increased in intensity and given a higher profile, perhaps even with involvement of the First Lady and the Vice President.

Examples of activities that could be undertaken are:

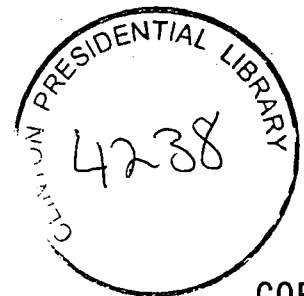
- The Department of Education would continue efforts to help the District account for and manage Federal and local education funds, support reform efforts to raise achievement, and help the District utilize the substantial programmatic flexibility allowed in use of Federal funds.
- The Department of Defense and OMB's Office of Federal Procurement Policy could improve the District's procurement operations.
- The Department of Transportation could provide technical assistance to improve transportation planning and management of the District's highway construction program.
- HHS could assist with the apparent major managerial and cost problems in the District's Medicaid program.
- HUD could continue its assistance in the areas of public housing and home ownership.
- Labor could provide assistance in implementing its training and other programs.

The main downside from raising the profile of our activities in this area is that Federal leverage and authority in these areas will, by definition, be limited. There will be some successes and probably also some failures. On the other hand, there is a strong argument for getting credit for what we are doing. And, the added attention that the assisted areas would receive from the press and public may raise the likelihood for success over vested interests.

☒ Approve option 8 ☐ Disapprove option 8 ☐ Discuss

→ it would have been targeted
off the student program

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